

# UNITED STATES DISTRICT COURT

for the

United States of America

v.

James STEWART

*Defendant(s)*

Case No.

2:11mj 191

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 9, 2011 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

*Code Section*

*Offense Description*

21 U.S.C. 846

Conspiracy to possess with intent to distribute in excess of 28 grams crack cocaine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

see attached Affidavit

☒ Continued on the attached sheet.

  
Complainant's signature

TFA Jeffrey Edwards, DEA

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 03-09-2011

  
Judge's signature

City and state: Columbus, Ohio

U.S. Magistrate Judge Terence P. Kemp

*Printed name and title*

## **AFFIDAVIT**

Jeffrey Edwards, a Task Force Officer (TFO) with the United States Drug Enforcement Administration (DEA), being duly sworn, deposes and states:

## **INTRODUCTION**

1. Your Affiant is a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a) (2) (C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a search warrant. Your Affiant has been a TFO since approximately April of 2009 and has been involved with narcotics investigations since that time. Although your Affiant is assigned to work with DEA, your Affiant is and has been employed by the Franklin County (Ohio) Sheriff's Office (FCSO) as a deputy sheriff since 2000. In 2005, your Affiant became a FCSO detective.

2. Your Affiant has participated in and conducted numerous investigations of violations of various State and Federal criminal laws, including the unlawful possession with intent to distribute controlled substances, the distribution of controlled substances and conspiracy to possess with the intent to distribute and distribute controlled substances, in violation of Title 21, United States Code. These investigations have resulted in arrests of individuals who have possessed with the intent to distribute and distributed marihuana, cocaine, cocaine base, and heroin as well as other controlled substances. These various investigations have also resulted in seizures of illegal drugs and proceeds from

the distribution of those illegal drugs. Additionally, your Affiant has attended numerous courses related to narcotics trafficking, narcotics identification and narcotics investigation.

3. Your Affiant is familiar with the ways in which narcotic traffickers conduct their business, including methods of distributing narcotics and laundering and/or concealing their proceeds. Your Affiant's training and experience as a FCSO Detective and as a Task Force Officer with DEA, as well as, your Affiant's conversations with Special Agents of DEA and local investigators familiar with narcotics trafficking form the basis of the opinions and conclusions set forth below.

4. This affidavit is being submitted in support of an application for criminal complaints and arrest warrants against **Fred LEATHERWOOD, James STEWART and James ECTOR**. Your Affiant has probable cause to believe that, between in or about January 2011 through March 9, 2011, in the Southern District of Ohio, **Fred LEATHERWOOD, James STEWART and James ECTOR** did knowingly and intentionally conspire to possess with intent to distribute in excess of 28 grams of crack cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846. Your Affiant has set forth only those facts that your Affiant believes are necessary to establish probable cause to arrest **Fred LEATHERWOOD, James STEWART and James ECTOR**.

#### **BACKGROUND INFORMATION**

5. Since January 2011 the Franklin County Drug Task Force has been

investigating the drug trafficking activities of Fred LEATHERWOOD and his associates, to include James STEWART and James ECTOR. Through the course of this investigation investigators have established LEATHERWOOD and his associates use 552 W. Town St, 554 (A) W. Town St, and 556 (A) W. Town St, Columbus, Ohio to facilitate their drug trafficking activities.

6. Since January 2011 a confidential source (CI), made 4 purchases of crack cocaine from James STEWART. Two of these purchases occurred at 552 W. Town St., and the most recent purchase from STEWART occurred within the last two weeks. Surveillance surrounding these purchases corroborated a previous statement from the CI that STEWART is supplied by LEATHERWOOD.

7. On 3/8/2011 Franklin County Municipal Court Judge VanDer Kar authorized State of Ohio search warrants for the following locations; 552 W. Town St, 554 (A) W. Town St, and 556 (A) W. Town St, Columbus, Ohio. Investigators established STEWART's primary residence to be 552 W. Town St., STEWART is the listed utility holder at 556 (A) W. Town St.; LEATHERWOOD is the lessee at 556(A) W. Town St. Additionally, the CI knows 554(A) W. Town St. is used as a 'stash' location by this group, controlled by LEATHERWOOD and surveillance has previously observed LEATHERWOOD at 554(A) W. Town St.

8. On 3/9/2011 the search warrants referenced above were executed simultaneously. A summary of items seized from each residence is as follows:

-from 552 W. Town St.- 3 weapons, including a fully loaded SKS rifle and semi-automatic handgun, a shotgun, drug paraphernalia, and a user amount of suspected crack cocaine. ECTOR was the lone occupant of this location.

-from 554 (A) W. Town St,- over 28 grams of suspected crack cocaine (approximately 250 grams) located in several locations within the residence, 4 weapons, including a loaded Smith & Wesson handgun, 2 loaded rifles, and a third unloaded rifle, approximately \$2000.00 in US currency, and surveillance cameras. STEWART and LEATHERWOOD were located at this location at the time of the search warrant.

-from 556 (A) W. Town St.- one weapon and packaging paraphernalia. This location was unoccupied.

9.LEATHERWOOD, STEWART, and ECTOR were placed under arrest without incident. All were advised of their Miranda warnings. All waived their rights and gave post-arrest statements. ECTOR gave a brief statement alleging he did not live at 552 W. Town St. (ECTOR although admitted his belongings and clothing were located inside 552 W. Town St.). The interview was terminated shortly thereafter.

10.LEATHERWOOD acknowledged his involvement in this investigation, and stated he knows STEWART and ECTOR to act as couriers in this crack cocaine group. STEWART stated he is directed by LEATHERWOOD and supplies him (STEWART), and 'J' (ECTOR) with crack cocaine for further distribution.

**CONCLUSION**

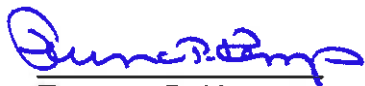
Based on information contained in this affidavit, there is probable cause to believe that, between in or about January 2011 and March 9, 2011, in the Southern District of Ohio, Fred LEATHERWOOD, James STEWART, and James ECTOR did knowingly and intentionally conspire to possess with intent to distribute in excess of 28 grams of crack cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846.

Further your Affiant sayeth not.

  
Jeffrey Edwards

Task Force Agent  
Drug Enforcement Administration

Subscribed and Sworn to before me  
this 9<sup>th</sup> day of March, 2011



Terence P. Kemp  
U.S. Magistrate Judge  
Southern District of Ohio